
OLR Bill Analysis

sHB 5542

AN ACT CONCERNING BUMP STOCKS AND OTHER MEANS OF ENHANCING THE RATE OF FIRE OF A FIREARM.

SUMMARY

This bill generally makes it a class D felony for anyone to sell, offer to sell, otherwise transfer, or offer to transfer, purchase, possess, use, or manufacture a “rate of fire enhancement” (e.g., a bump stock). By law, a class D felony is punishable by up to five years in prison, a fine up to \$5,000, or both.

However, the bill also provides a reduced penalty (a class D misdemeanor) for a first time offender who possesses a rate of fire enhancement before July 1, 2019 and holds a valid (1) permit to carry a pistol or revolver or (2) eligibility certificate for a pistol, revolver, or long gun. By law, a class D misdemeanor is punishable by up to 30 days in prison, a fine up to \$250, or both.

The bill also requires anyone who moves into the state in lawful possession of a rate of fire enhancement to render it permanently inoperable, remove it from this state, or surrender it to the Department of Emergency Services and Public Protection (DESPP) for destruction, within 90 days of moving into the state. (It is unclear which, if any, of the prohibited actions under the bill would apply during the 90-day window.)

The bill also requires the DESPP commissioner to:

1. within 30 days after the bill passes and within available appropriations, provide written notice of the bill’s provisions on its website and electronically to federally licensed firearms dealers and
2. for the period starting 30 days after the bill passes until July 1

2023, include a written notice of the bill's provisions with each (a) permit to carry a pistol or revolver, eligibility certificate for a pistol or revolver, and long gun eligibility certificate he issues and (b) expiration notice mailed to the holder of any such permit or certificate.

EFFECTIVE DATE: October 1, 2018, except the DESPP notification provision is effective upon passage.

RATE OF FIRE ENHANCEMENT

Under the bill, "rate of fire enhancement" means any device, component, part, combination of parts, attachment, or accessory that:

1. uses energy from a firearm's recoil to generate a reciprocating action that facilitates repeated function of the trigger, including a bump stock;
2. repeatedly pulls a firearm's trigger through the use of a crank, lever, or other part, including a trigger crank; or
3. causes a semiautomatic firearm to fire more than one round per operation of the trigger, where the trigger pull and reset constitute a single operation of the trigger, including a binary trigger system.

By law, "firearm" means any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded from which a shot may be discharged.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 36 Nay 5 (04/03/2018)